

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:12-CV-0064-F

UNITED STATES, *ex rel.* COSTELLO)
INDUSTRIES, INC.,)
Plaintiff,)
v.)
HANOVER INSURANCE COMPANY,)
Defendant.)

O R D E R

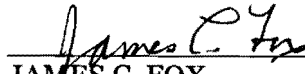
This matter is before the court on the defendant's Motion to Dismiss [DE-9], pursuant to Rule 12(b)(6), FED. R. CIV. P. The motion, however, fails to comply with this court's Local Civil Rule 7.1(d), which provides:

(d) Supporting Memoranda. Except for motions which the clerk may grant as specified in Local Civil Rule 7.2, all motions made, other than in a hearing or trial, shall be filed with an accompanying supporting memorandum in the manner prescribed by Local Civil Rule 7.2(a). Where appropriate, motions shall be accompanied by affidavits or other supporting documents.

Therefore, the defendant's Motion to Dismiss [DE-9] is DENIED for failure to comply with the rules of this court. Such denial, however, is without prejudice to the defendant to renew its motion in compliance with Local Civil Rule 7.1(d).

SO ORDERED.

This 31st day of May, 2012.



JAMES C. FOX
Senior United States District Judge